

EXHIBIT C

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1 **Q.** It says they had several
2 different tactics to force me into falsely
3 implicating Don but mainly threats of
4 charging me with Mal's murder.

5 **Is that true?**

6 **A.** No.

7 **Q.** If we take out the -- well,
8 I'll just ask you this: Should it be
9 changed to say but mainly threats of
10 charging me with cases?

11 **A.** This is becoming too much.
12 I'm about to hang up on this shit.

13 **Q.** **Mr. Paladino, do you want to**
14 **take a quick break?**

15 **A.** Yeah, because it's...

16 **Q.** **How much time do you need?**

17 **A.** I don't know. I just -- I
18 want to be done with this. I keep telling
19 y'all people this. I want to be done. I
20 want to be left alone.

21 **Q.** **I understand that but, you**
22 **know, you're currently under oath and here**
23 **pursuant to a subpoena and we all have jobs**
24 **to do so I'd appreciate it if we can at**

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1 least get done my questioning today. I can
2 give you as much time as you need but I'm
3 actually -- you know, I don't have that much
4 more so, you know, if your desire is to get
5 at least today done I'd like to proceed.

15 — — —

16 (Whereupon a short break was
17 taken at this time.)

18 [=](#) [=](#) [=](#)

19 MR. VAN NAARDEN: Are we back
20 on the record, Kelly?

21 MADAM REPORTER: Yes.

22 BY MR. VAN NAARDEN:

23 Q. Look, you know, I know you
24 don't want to be here and I know you're

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1 frustrated but, you know, we all have a job
2 to do and you're subpoenaed to be here and
3 we would like to continue.

4 A. So is that supposed to trump
5 my mental capacity, my mental well --

6 Q. No. No. If you don't feel
7 that you're mentally, mentally capable of --

8 A. You know, I've dealt with this
9 for 22 years. I was supposed to be done
10 with it. I saw what I saw. I live through
11 this every day, not you all.

12 Q. Can we -- look, I recognize
13 all of that. I can't, obviously, force you
14 to continue today. I would like to continue
15 but the ball's in your court.

16 A. Technically I am being
17 forced --

18 Q. No, I mean --

19 A. -- again.

20 Q. If you say -- if you say to
21 me, Mr. Paladino, look, I'm done for today,
22 I'm spent --

23 A. No.

24 Q. -- I can't concentrate, then

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1 **we can --**

2 A. I want to be done, period. I
3 don't want nothing to do with none of this.

4 Q. **I understand that.**

5 **Unfortunately, we have to press on. And I'm**
6 **not the only one who's entitled to ask you**
7 **questions. The city is as well. I don't**
8 **know what to tell you, you know. So you got**
9 **to tell me what you want to do.**

10 A. I just told you what I want to
11 do. I want to be done with this. I don't
12 want nothing to do with none of this.

13 Q. **And understanding that you**
14 **don't wish to proceed, then the next**
15 **question is even though you don't want to**
16 **are you willing to press on?**

17 A. And if I don't you all lock me
18 up.

19 Q. **Look, I'm not -- I'm not**
20 **making any representations to you. All I'm**
21 **saying is, you know, there may be**
22 **ramifications to leaving a deposition and**
23 **not honoring a subpoena. That's all I can**
24 **tell you. I'm not your lawyer. I don't**

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1 represent you. I cannot make any
2 representations as to what will or will not
3 happen if you, you know, turn off the camera
4 and you leave. It would be inappropriate
5 for me to do that. So all I can tell you is
6 everybody has a job to do. Everybody's
7 going to do what they have to do to get what
8 is necessary in relation to Don's case.

9 A. So to get whatever's necessary
10 that means cause me more mental pain and
11 anguish.

12 Q. Look, I don't want to get into
13 a dialogue with you about it. It would be
14 inappropriate. I mean, I have a job to do,
15 it's to ask you questions. The city has a
16 job to do, to ask you questions. You know,
17 we don't, as lawyers, we don't have the
18 physical force to --

19 A. I want to ask all parties to
20 exclude me.

21 Q. I understand that and we
22 understand those are your wishes.

23 VIDEO TECHNICIAN: Just to let
24 you know, we didn't go back on the

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1 video yet. This is all just
2 stenographic.

3 MR. VAN NAARDEN: Okay. We
4 should be on the video anytime we're
5 on the record. It's a videotaped
6 deposition.

7 VIDEO TECHNICIAN: Okay. You
8 got to give me a second to set it up
9 and make sure the court reporter's
10 ready. Do you want to go on now?

11 MR. VAN NAARDEN: I thought we
12 were.

13 VIDEO TECHNICIAN: Okay.

14 Stand by. The time is 2:50 p.m.
15 We're back on the video record.

16 BY MR. VAN NAARDEN:

17 **Q.** **Mr. Paladino, I would like to**
18 **continue my questioning. Would you be**
19 **amenable to continuing? I know you don't**
20 **want to and you've told us that.**

21 **A.** Again, for the record, I want
22 to be excluded.

23 **Q.** **I understand. And your wishes**
24 **are noted on the record but all the parties**

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1 here would like to proceed as we have a
2 legal right to do. So, I mean, those are
3 the options. If you say to me, listen, I'm
4 tired for the day and, you know, we can
5 adjourn and complete this another day,
6 that's totally valid and we can accommodate
7 you. I mean, obviously, the city has made
8 representations they want to meet you in
9 person and do a deposition there as well.
10 So, you know, there are other things that
11 are going to have to happen and I understand
12 you don't want it to happen but that's where
13 we are. I'm trying to get through this as
14 I'm sure you are so I just need to know.
15 Like, I'll just continue asking questions
16 and we'll see where we go if that's okay
17 with you. I can't, you know --

18 A. I want to be done for now.

19 Q. So what does that mean? Are
20 you --

21 A. It means you can adjourn for
22 today.

23 Q. Okay.

24 MR. VAN NAARDEN: So just to

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1 put on the record I just want --
2 that's fine. I'm just going to put
3 on the record I'm not done my
4 questioning. I intend on asking
5 additional questions. At the
6 witness's request we are adjourning
7 for today. And as this is being done
8 via remote we have no legal recourse
9 to compel the deposition to move
10 forward beyond this moment but that
11 we reserve the right to complete the
12 deposition at a later time either via
13 Zoom or in person.

14 MS. ROSENTHAL: I would like
15 to discuss --

16 MR. VAN NAARDEN: Before you
17 leave, Mr. Paladino, I'm going to
18 give the city an opportunity to put a
19 statement on the record if they so
20 choose.

21 MS. ROSENTHAL: Yeah. I
22 want -- I wanted to discuss the
23 scheduling of the city's deposition
24 in person because -- because all

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1 counsel's present here right now. So
2 we would like to be able to do it in
3 the next two weeks --

4 MR. VAN NAARDEN: Well,
5 that -- Danielle, not to interrupt
6 you but, like, because this
7 deposition is not yet completed we
8 have to finish this deposition first
9 before we start yours. We can do it
10 the same day. I don't have that much
11 more but I'm just letting you know
12 that.

13 MS. ROSENTHAL: Well, how do
14 you -- can we go off the record for
15 this?

16 MR. VAN NAARDEN: If you want,
17 sure. Sure.

18 MS. ROSENTHAL: I mean, how
19 should we -- I'm just thinking --

20 VIDEO TECHNICIAN: The time
21 is -- sorry. The time is 2:53 p.m.
22 This is the end of today's
23 deposition. We're going off the
24 video record.